



# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 02

317 E. POE RD. • BOWLING GREEN, OH 43402 • 614-995-7902

## **Environmental Document**

for

## **WOO CSX RR brdg ovr Maumee Rvr PID 100460**

**Environmental Document Level: D2**

**Approved: 1/19/2018**

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Lawhon AND Associates

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*The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ODOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 11, 2015, and executed by FHWA and ODOT.*

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## **Project Type**

**Please check all of the following actions that apply (Must check at least one):**

(13) Actions described in 23 CFR 771.117 (c)(26), (c)(27), and (c)(28) that do not meet the constraints listed in 23 CFR 771.117(e). (a) Project types that exceed thresholds in Appendix A (b) Project types that exceed thresholds in Appendix B



## General Project Information

### Project, Cost Schedule and Work Limits

|                                                                                                                                 |                                |
|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------|
| Environmental Document Level:                                                                                                   | D2                             |
| PID:                                                                                                                            | 100460                         |
| Project Name:                                                                                                                   | WOO CSX RR brdg ovr Maumee Rvr |
| Project Sponsor:                                                                                                                | Wood County Airport Authority  |
| ODOT District:                                                                                                                  | 2                              |
| Funding Source:                                                                                                                 | Federal                        |
| Private Funding:                                                                                                                | No                             |
| Local Public Funding:                                                                                                           | Yes                            |
| STIP Reference #:                                                                                                               | State Line Item 9              |
| The next phase of the proposed project is listed on the STIP                                                                    | Yes                            |
| The current cost estimate is in line with existing federal procedures for Ohio STIP Amendments and Administration Modifications | Yes                            |
| Planning and Engineering:                                                                                                       | \$22,729.00                    |
| Right of Way:                                                                                                                   | \$1,309.00                     |
| Construction:                                                                                                                   | \$2,471,602.76                 |
| Other:                                                                                                                          | \$0.00                         |
| An Interchange Modification/Justification/Operations Study (IMS/IJS/IOS) was completed                                          | No                             |

### Project Description:

The Wood County Port Authority (WCPA) proposes to demolish the Upper Maumee River Swing Bridge (no Structure File Number) that is associated with the former CSX Railroad Bridge over the Maumee River in the City of Toledo, Lucas County and Perrysburg Township, Wood County, Ohio. The demolition includes the approaches, superstructure and substructure, and removing the piers to riverbed level.

Funding for the project is provided under a 2005 SAFETEA-LU Federal Earmark, and state and local matching funds.

An Environmental Site Assessment (ESA) and Ecological Survey Report (ESR) were prepared for an adjacent project (LUC Chessie Circle Trail PID 95515 ) that included the proposed project study area. The ODOT review and approval process for each of these investigations are detailed in the appropriate resource areas of this document.



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Based on the project scope of work, no right-of-way is required. Proposed demolition is anticipated for December 2018.

**Limits of Proposed Work:**

Former CSX RR bridge over  
Maumee River near Turnpike bridge

**Start (SLM):** N/A

**End (SLM):** N/A

**Total Work Length (Miles):** N/A

Roadway Character

**Roadway Character**

**Route Number: SR00065**

**Functional Classification:** Local (Rural)

**Current Average Daily Traffic:** N/A

**Current Average Daily Traffic Year:** N/A

**Design Year Average Daily Traffic:** N/A

**Design Average Daily Traffic Year:** N/A

**Daily Hourly Volume:** N/A

**Truck %:** N/A

**Setting:** Urban

**Topography:** Level

|                      | Existing: | Proposed: |
|----------------------|-----------|-----------|
| Design Speed (MPH):  | N/A       | N/A       |
| Legal Speed (MPH):   | N/A       | N/A       |
| Number of Lanes:     | N/A       | N/A       |
| Type of Lanes:       | N/A       | N/A       |
| Pavement Width (ft): | N/A       | N/A       |
| Shoulder Width (ft): | N/A       | N/A       |
| Median Width (ft):   | N/A       | N/A       |
| Sidewalk Width (ft): | N/A       | N/A       |

No bridge data for PIDs associated with this CE Form

**Maintenance of Traffic During Construction**



|                                                                                                                               |    |
|-------------------------------------------------------------------------------------------------------------------------------|----|
| A roadway, bridge or ramp closure is required                                                                                 | No |
| A temporary bridge or roadway is proposed                                                                                     | No |
| A detour is required for the proposed project                                                                                 | No |
| The proposed MOT substantially impacts sensitive environmental resources                                                      | No |
| Substantial controversy is associated with the proposed MOT                                                                   | No |
| Coordination has been initiated and/or completed with local emergency services, schools, public institutions/facilities, etc. | No |

**Remarks:**

The proposed project does not involve removal of a roadway bridge and no impacts to vehicular traffic will occur. The railroad bridge (formerly owned by CSX and now owned by the Wood County Port Authority) has been closed for many years.

Prior to demolition activities, ODOT will notify the public and local emergency and law enforcement for project awareness purposes and to assure public safety is not compromised.

|                                          |     |
|------------------------------------------|-----|
| Are there any Environmental Commitments? | Yes |
|------------------------------------------|-----|

**Right of Way and Utility Involvement**

|                                                       |    |
|-------------------------------------------------------|----|
| The project requires Permanent Right-of-Way           | No |
| The project requires Permanent Easement(s)            | No |
| The project requires Temporary Right-of-Way           | No |
| Number of parcels impacted by Permanent Right-of-Way: | 0  |

**Right of Way and Utility Involvement**

|                                                                                                                 |    |
|-----------------------------------------------------------------------------------------------------------------|----|
| Number of parcels impacted by Temporary Right-of-Way:                                                           | 0  |
| Approximate acreage of Permanent Right-of-Way needed:                                                           | 0  |
| Approximate acreage of Temporary Right-of-Way needed:                                                           | 0  |
| Electrical lines, gas lines, water lines, sewer lines, phone lines or other utilities exist in the project area | No |

**Remarks:**

No utilities were identified within the proposed project area and no right-of-way acquisition is required.



## **Purpose & Need**

### **Purpose & Need**

#### **Project History:**

The existing CSX railroad bridge over the Maumee River has not been in operation since 1982 when a derailment seriously damaged one of the piers. No maintenance activities have been conducted since that time. In 2010-2011, a consortium of local stakeholders undertook the development of the Chessie Circle Trail (aka Westside Trail/Backside Trail) and acquired 11.6 miles of former CSX railroad corridor for conversion to a multi-use path from East River Road/Bates Road in Wood County to Laskey Road near Lewis Avenue in the City of Toledo. Acquisition of this corridor took place in October 2011 using a combination of local contributions and designated federal funds. Portions of the corridor were assigned to specific consortium members WCPA, Wood County Park District, Metroparks of Toledo, City of Toledo, and University of Toledo) and the corridor is being developed in sections. The CSX bridge over the Maumee River is located within the portion owned by the WCPA. The WCPA took over ownership of the bridge in November 2011.

Several studies and analyses have been conducted regarding this structure over the past 15 years. These reports analyzed various aspects of the condition of the bridge and costs to rehabilitate and/or replace it for the Chessie Circle Trail crossing of the Maumee River.

In February 2015, the WCPA received a letter from the U.S. Coast Guard (USCG) stating that since the bridge is not being used for land transportation, it constitutes an unreasonable obstruction to navigation, and is therefore in violation of federal law. At this time, WCPA has no current plans or funding for construction of a bridge crossing for the trail. The WCPA notified the USCG in March 2015 that they were examining partial or full removal of the bridge. The WCPA notified ODOT by letter dated October 17, 2016, of the need to remove the existing structure to address safety issues associated with the deteriorating condition of the bridge.

The proposed project is listed in the Toledo Metropolitan Area Council of Governments (TMACOG) FY 2018-2021 Transportation Improvement Program (TIP).

#### **Purpose Statement:**

The purpose of the proposed project is to address bridge deficiencies in order to improve safety concerns associated with falling debris in the river, lack of navigational lighting on the bridge, and the fact the bridge is not currently used for land transportation which is in violation of U.S. Coast Guard regulations.

#### **Need Element(s):**



### **Bridge Deficiencies**

Based upon ODOT's Manual of Bridge Inspection, highway bridges in Ohio are inspected at least once a year with no inspection exceeding an 18-month window. Each railroad company is responsible for the inspection and maintenance of the bridges each owns. By law, railroad bridge inspections must be conducted each calendar year (49 CFR 237). Prior to purchase by the consortium, the existing bridge was owned by CSX Corporation. The bridge has not been routinely inspected since 1982 and has not been actively used. Bridge inspections rate various aspects of the bridge structure such as deck, approach, superstructure, and substructure. The ratings range from 0-9, where 9 is like new and 0 is out of service. A rating of 4 or less is considered deficient.

The structure was inspected by the Lucas County Engineer as part of the Preliminary Study prepared for TMACOG in 2002. The visual inspection found significant amount of deterioration of the existing piers with a large amount of section loss. The outer surface of the concrete on the piers is falling away in large sections. A majority of the outer surfaces that has not fallen away is not sound concrete. Voids are visible between the outer surface and the body of the piers. All of the pier caps are deteriorated and show signs of distress. The abutments show a significant amount of concrete deterioration. The bearing plates have section loss from rust and a large number of rivets have some section loss. The existing paint is in very poor condition.

The most recent bridge inspection was conducted by ODOT's Office of Structural Engineering (OSE) in 2010. The rails and rail cross ties have been removed and the structure does not have a traditional highway deck. The approach spans girders were rated 5 (Fair), the cross frames were also rated 5, and the lateral bracing was rated 4 (Poor). The superstructure was rated 4, with top and bottom chord loss, pitting along web plates, and distortion in lower chord of Span 1. Vertical and diagonal members were rated 5, with isolated pitting, gusset plates were rated 4, upper lateral bracing was rated 3 (Serious), and floorbeams were rated 5. The movable section was rated 4 and the steel frame and supports were rated 4. The substructure was rated 3, with large areas of pier concrete delaminations and spalling. All piers have significant deterioration at the water line, some with spalled areas greater than one foot deep. Two piers have spalls affecting the bearing capacity. This inspection report references a 1987 subaqueous inspection which listed all substructure units in poor condition. The inspection did not include an overall rating of the bridge condition.

### **Safety**

There is considerable concern on the part of the WCPA Board that there is no apparent means to prevent trespassing onto the bridge. WCPA has secured the Wood County side of the bridge; however, due to the setting and geography, the WCPA is not able to completely secure the Lucas County side. Anecdotal reports indicate individuals using the bridge to cross the river or vandalize the bridge. Pictures show beer cans and numerous autographs on the structure. There is one official report of trespassers jumping from the bridge into the river, filed by the Toledo Police Department on October 5, 2014. Due to the poor condition of the structure, concrete pieces from the piers occasionally fall into the Maumee River below. The falling concrete endangers boaters and



personal water craft passing under the bridge, including commercial and small pleasure crafts. As the structure continues to deteriorate, these conditions will worsen.

### **Violation of Federal Laws**

On February 24, 2015, the WCPA received a letter from the USCG concerning the CSX Bridge. The letter states that the bridge has not been in use since approximately 1982, there is no longer a serviceable rail line, and the rail tracks on either side of the bridge have been removed. The letter goes on to state that the USCG has the authority "...under the Federal Bridge Statutes, to ensure that marine navigation is free, easy, and unobstructed. All bridges in or over navigable waters of the United States are obstructions to navigation and are permitted and tolerated only as long as they serve the needs of land transportation while allowing for the reasonable needs of navigation. When a bridge is no longer used for a transportation purpose, it is considered in violation of federal law and to constitute an unreasonable obstruction to navigation." The letter also notes that the "bridge is not being used for land transportation nor does it appear that it will be returned to use in the very near future." USCG correspondence also discusses the lack of navigational lighting on the bridge, which is required by federal law. In summary, correspondence with the USCG indicates that WCPA is currently in violation of federal law and that will continue if the bridge is left in place in its current condition.

### **Goals and Objectives:**

N/A

### **Summary Statement:**

The purpose of the proposed project is to address bridge deficiencies in order to improve safety concerns associated with falling debris in the river, lack of navigational lighting on the bridge, and the fact the bridge is not currently used for land transportation which is in violation of U.S. Coast Guard regulations.

### **Logical Termini and Independent Utility:**

The logical termini for the proposed project are limits sufficient to consider the range of alternatives to address the structurally deficient bridge. Due to the isolated nature of the bridge, the study area is the bridge and adjacent land on each end from East River Road in Wood County to River Road in Toledo, Lucas County. The project is independent of any other transportation project in the area and is not part of any system linkage or long range development or transportation improvement plan. Therefore, the project has independent utility.



## Alternatives

### Alternatives

#### Discuss No Build Alternative:

The No-Build alternative would involve no improvements and no maintenance activities. The bridge condition will continue to deteriorate and accelerate over time. Incidents of falling concrete will continue, resulting in potentially unsafe conditions for water traffic. The deteriorated bridge, which has no deck, will continue to be a nuisance, with safety concerns due to trespassing incidents. More importantly, is the fact that the bridge, which does not have a transportation function, will remain an obstruction to navigation and will continue to be in violation of federal law. This alternative does not meet the project's Purpose and Need.

Was a Feasibility Study completed?

No

Was an Alternative Evaluation Report (AER) completed?

No

#### Alternatives Considered

| Name                              | Description                                                                                                                                                                                                                                      | Reason Dismissed                                                                                      | Preferred Alternative |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-----------------------|
| Rehabilitation                    | Rehabilitate the existing railroad bridge according to the Secretary of the Interior's Standards to avoid a Section 4(f) Adverse Effect on an historic bridge; includes rehabilitation of the superstructure and replacement of the substructure | Costs are significantly higher to rehabilitate to Secretary of the Interior standards vs. replacement | No                    |
| Removal of the existing structure | Remove existing structure - including superstructure, piers, footers, and abutments                                                                                                                                                              | Not dismissed                                                                                         | Yes                   |



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|                    |                                                                                                                                                          |                                                                                                                                                                                      |    |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Replacement        | Build a new bridge on a different location and leave the existing bridge in place                                                                        | Does not address that the bridge will remain in violation to federal law, safety issues of the existing bridge being accessed by trespassers, or the concrete falling into the river | No |
| Mothball/Stabilize | Stabilize bridge in place to preserve the bridge in its current location for potential future rehabilitation in the event funding would become available | Does not address safety issues regarding trespassers and USCG legal concerns                                                                                                         | No |

**Discuss Reasons Alternative Identified as Preferred was selected:**

A series of studies were conducted on this structure. The studies include: Preliminary Report Proposed Backside Trail, 2002, prepared by the Lucas County Engineer for TMACOG; Planning Level Report West Side (CSXRR) bike/Pedestrian Trail Crossing of the Maumee River, 2012, prepared by Claude Brown & Associates for WCPA; Implementation Level Report West Side Bike/Pedestrian Trail Crossing of the Maumee River, 2013, prepared by Claude Brown & Associates for WCPA; WOO/LUC Chessie Circle; Historic CSX Bridge Alternatives Analysis, 2015, prepared by DGL Consulting Engineers for ODOT; ODOT Inter-Office Communication (IOC) Toledo - CSX RR Corridor - Environmental Procedure Assessment of Rail Bridge over the Maumee River, 2010; and the ODOT IOC CSX RR Rehabilitation Opinion of Probable Cost, 2017. While early on, the intent was to replace the existing bridge with a new multi-use trail structure, it was determined that there was no funding to replace the bridge and that portion was removed from the scope of the project. Since multiple alternative analyses were conducted and were reviewed by ODOT, it was determined that a separate Feasibility Study was not needed.

The Removal alternative does meet all elements of the project's Purpose and Need, including the US Coast Guard (USCG) assertions that the bridge constitutes an unreasonable obstruction to navigation since it no longer serves a land transportation function and the safety concerns. This alternative would require removal of the historic bridge, which would be mitigated through Section 106 MOA. This alternative is an independent action from any future construction of a new bridge at the same location. The Removal alternative would cost approximately \$2M.

Rehabilitation Alternative - The rehabilitation of the eight riveted Pratt deck trusses would meet the Secretary of Interior's Standards for Rehabilitation. This alternative would maintain the character defining features of the Pratt deck truss sections of the historic bridge. However, this alternative does not meet the Purpose & Need to address the USCG assertions. The bridge is not connected on either side to a transportation facility and therefore, rehabilitation of the bridge itself would not reinstate its land transportation function. The Rehabilitation alternative would cost approximately \$34M, 17 times more than the Removal alternative.

Mothball/Stabilization Alternative - During coordination of the Section 106 impacts the Advisory Council on Historic Preservation (ACHP) suggested and ODOT agreed to examine an alternative that would mothball/stabilize the bridge in place for future rehabilitation. This alternative would stabilize the concrete by removing delamination on the piers, rebuilding top 5 feet of the pier caps, and completing structural steel repairs. While this alternative is feasible from an engineering perspective, mothballing the bridge for an indefinite period of time in anticipation of funds for rehabilitation becoming available in the future is not prudent use of taxpayer money. This alternative does not meet the project's Purpose & Need to address the USCG legal concerns or safety issues. The Mothball alternative would cost approximately \$4M, twice as much as the Removal alternative and additional funding for rehabilitation would be needed in the future.

The Removal alternative was selected as the Preferred Alternative because it addresses all of the elements of the Purpose & Need, including safety issues and the USCG's concerns.

- **The detailed alternatives evaluation can be found in the Project File under Section 4(f)/Reports/Individual Evaluation.pdf**
- **The various studies, reports, and bridge alternative study can be found in the Project File under Alternatives**



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## Air

### Mobile Source Air Toxics (MSATs)

Sensitive Areas are located within approximately 500' of the proposed project area Yes

The proposed project is listed as a C1 in ODOT's CE Guidance and/or falls under 40 CFR 93.126 Yes

#### Remarks:

The proposed project does not add capacity, a new interchange, or a new road on new alignment. Hence, this project will not result in any meaningful changes in traffic volumes, vehicle mix, location of the existing facility, or any other factor that would cause an increase in emissions impacts relative to the no-build alternative. As such, FHWA has determined that this project will generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special MSAT concerns. Consequently, this effort is exempt from analysis for MSATs.

### Particulate Matter 2.5 (PM2.5)

The proposed project is in an air quality non-attainment or maintenance area No

#### Remarks:

The proposed project is located in Wood and Lucas counties which are not in PM2.5 maintenance or non-attainment areas, therefore no PM2.5 analysis is required.

### Carbon (CO)

The State of Ohio is in attainment for CO at this time and no coordination or analysis is required

### Ozone

The proposed project is in an Ozone non-attainment or maintenance area No

The proposed project is listed on the TIP Yes

#### Remarks:

The proposed project is not located in an ozone maintenance or non-attainment area, therefore, no analysis is required. The proposed project is listed in the Ohio FY 2018-2021 Statewide Transportation Improvement Program (STIP) and the FY 2018-2021 Transportation Improvement Program.

### Environmental Commitments

Are there any environmental commitments? No



## Noise

### Noise

|                                                                                                                      |     |
|----------------------------------------------------------------------------------------------------------------------|-----|
| Noise Sensitive Areas located within approximately 500' of the proposed project area                                 | Yes |
| Noise Analysis conducted                                                                                             | No  |
| The proposed project is a Type I project                                                                             | Yes |
| The proposed project constructs a roadway on new location                                                            | No  |
| The proposed project significantly changes the existing roadway's horizontal or vertical alignment                   | No  |
| The proposed project adds capacity (thru travel lanes)                                                               | No  |
| The proposed project adds an auxiliary lane(s)                                                                       | No  |
| The proposed project negatively affects shielding of an existing roadway                                             | No  |
| The proposed project restripes existing pavement for an added thru lane or auxiliary lane                            | No  |
| The proposed project adds or substantially alters an existing weigh station, rest stop, rideshare lot, or toll plaza | No  |
| The proposed project causes a major change in vehicle mix                                                            | No  |

### Remarks:

There are seven residences located within 500 feet of the proposed project area. However, no noise analysis was required as the proposed project is not moving travel lanes significantly closer (50%) to noise sensitive areas and is not adding capacity. No further coordination is required.

### Environmental Commitments

|                                          |    |
|------------------------------------------|----|
| Are there any environmental commitments? | No |
|------------------------------------------|----|



## ESA

Does the project require any Permanent ROW or Easement?: No

Does the project require any temporary ROW?: No

## ESA

ESA Screening Report was completed by District Staff No

### Remarks:

Hull & Associates, Inc. conducted an Environmental Site Assessment (ESA) Screening in August 2013 in accordance with ODOT's Office of Environmental Services (ODOT-OES) ESA Guidance (2009). The Screening was prepared for the Chessie Circle Trail project (PID 95515) which included the proposed project area for the CSX bridge. Based on correspondence dated June 6, 2014, ODOT-OES ESA Staff indicated no further site assessment or special material management was recommended.

- The Screening can be found in the Project File under ESA/Reports
- Correspondence from OES can be found in the Project File under ESA/Coordination

According to the IOC from OES does the project require any Environmental Commitments (plan notes and/or other coordination)? No



## Cultural Resources

### Cultural Properties Present

**Please describe all of the efforts made to identify Historic Properties (including lit review, field investigation, etc.):**

A Section 106 Request for Review (RFR) was prepared by Gray & Pape, Inc. in March 2015 for the Chessie Circle Trail project (PID 95515). The Area of Potential Effect (APE) for Chessie Circle Trail encompassed the APE for the proposed project. The literature review identified a 2009 study which found two cultural resources, the Maumee River Swing Span Bridge within the APE and an archaeological site adjacent to the APE. The literature review portion of the RFR conducted for PID 95515 adequately covered the current project and a new RFR was not prepared under this PID.

The Area of Potential Effect (APE) for this urban bridge demolition project is limited to the CSX Bridge right-of-way and its approaches from River Road (Toledo, Lucas County) east along former railroad corridor to East River Road (Perrysburg Township, Wood County). The APE is approximately 2640-feet long and 50-feet wide.

The CSX Bridge/Maumee River Swing Span Bridge was determined to be eligible for listing on the National Register of Historic Places (NRHP) in 2009. In 2016, ODOT-OES determined that the entire bridge including the Pratt through truss swing span, piers, movable components, and all of the approaches were identified as contributing elements of the bridge.

Based on the scope of work, literature search, and the Section 106 Request for Review, the bridge work has minimal potential to impact properties listed or eligible for the NRHP beyond the existing CSX Bridge footprint.

- **The RFR can be found in the Project File under Cultural Resources/Project Information/Section 106 Request for Review - PID 95515**

**Based on the letter or IOC you received from OES, is there an eligible or listed NRHP Historic Property in the Area of Potential Effects Pursuant to 36 CFR part 800?**

Yes

**OES/OSHPO Concurrence Date:**

01/04/2016

### Remarks:

On December 16, 2015, in accordance with 36 CFR Section 800.5(a), ODOT-OES Cultural Resources Staff determined the proposed project would result in an "adverse effect" upon the historic bridge, due to removal.

OSHPO provided concurrence with this finding on January 4, 2016.



On August 25, 2016 in accordance with 36 CFR 800.3(c)(4) and 800.11(e), documentation of the adverse effect was forwarded to the Advisory Council on Historic Preservation (ACHP) to determine their participation in resolving the adverse effects. On September 7, 2016 the ACHP notified ODOT-OES of its decision to participate in the consultation process. On September 16, 2016 ODOT-OES acknowledged ACHP's participation in the mitigation process and sent the draft Memorandum of Agreement (MOA) for their review and comment.

Between September 2016 and September 2017 ODOT staff met several times with the ACHP, SHPO, WCPA, and Consulting Parties to work through the Section 106 process, address concerns, and develop the MOA.

On September 7, 2017 an MOA was executed between ACHP, OSHPO, ODOT, and Wood County Port Authority with Historicbridges.org, Maumee Valley Heritage Corridor, Inc., and Historicbridgefoundation.com as concurring parties for the Adverse Effect. Stipulations contained in the executed MOA are included as environmental commitments below.

This concludes the Section 106 Review process.

On October 30, 2017 ODOT-OES added the CSX structure to the ODOT Historic Bridge - Reusable Historic Bridges webpage, pursuant to Stipulation 4 of the executed MOA. On September 8, 2017, ODOT District 2 met with the Chessie Circle Trail Coordinating Committee to discuss the potential reuse of commemorative elements of the historic bridge into the Chessie Circle Trail in accordance with Stipulation 3 of the executed MOA.

**All documentation related to coordination activities can be found in the Project File under Cultural Resources/Coordination**

**Please check all NRHP Eligible and/or Listed resources:**

Bridge

|                                                                             |                |
|-----------------------------------------------------------------------------|----------------|
| What is the Section 106 effect determination in the OES letter or IOC?      | Adverse Effect |
| Does this project have an Adverse Effect on Archaeological resources?       | No             |
| Does this project have an Adverse Effect on History/Architecture resources? | Yes            |

**Archaeological Resource Adverse Effect**

**History/Architecture Adverse Effect**

|                                                                                                   |            |
|---------------------------------------------------------------------------------------------------|------------|
| Date OSHPO Concurred with Adverse Effect determination:                                           | 01/04/2016 |
| Date Documentation for Consultation was sent, including MOA and data recovery plan (if necessary) |            |
| ACHP:                                                                                             | 08/25/2016 |



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**OSHPO:**

08/25/2016

**FHWA:**

**Did you contact any other Consulting Parties?**

Yes

**Consulting Parties**

| <b>Additional Party Name</b>          | <b>Documentation Date:</b> |
|---------------------------------------|----------------------------|
| Maumee Valley Heritage Corridor, Inc. | 09/07/2017                 |
| HistoricBridges.org                   | 09/06/2017                 |
| Historicbridgefoundation.com          | 08/24/2017                 |
| Richard Curry - TMACOG Bike Committee | 05/06/2016                 |

**Date of Advisory Council on Historic Preservation response:**

09/07/2016

**Is Advisory Council on Historic Preservation participating?**

Yes

**Date MOA was executed:**

09/07/2017

**Environmental Commitments**

**Are there any Environmental Commitments?**

Yes



## Ecological

### ESR

Has an ESR been completed? Yes

Date ESR was completed: 01/15/2015

### Wetlands

Are Wetlands Present? Yes

Are Any Wetlands impacted? Yes

Has a Wetland Delineation been made? Yes

Has the wetland Jurisdictional Determination been made? No

### Identified Wetlands

| Wetland ID | ORAM Category | Type         | Est Total Size (Acres) | Est Impact (Acres) |
|------------|---------------|--------------|------------------------|--------------------|
| Wetland B  | 2             | Non-Isolated | 0.062                  | 0.037              |

Est. Total Size (Acres) of for Project: 0.062

Est. Total Impacted (Acres) of for Project: 0.037

Total Acres of Non-Isolated Wetlands impacted: 0.037

Total Acres of Isolated Wetlands impacted: 0

### Remarks:

A Level 2 Ecological Survey Report (ESR) dated May 29, 2014, was prepared by Hull & Associates, Inc., and revised on January 15, 2015. Although the ESR was prepared for an adjacent project (LUC Chessie Circle Trail, PID 95515), the proposed project area was included in the impact area.

Based on the results of the ESR, Wetland B (Modified Category 2) was identified within the proposed project area and is 0.062 acres in size, with 0.037 acres within the proposed project area that abuts the Maumee River. Approximately 0.037 acres will be temporarily impacted by the causeway required for the proposed bridge demolition project.

The 'do nothing' alternative would not satisfy the purpose and need of the project as the current structure is deficient and unsafe, therefore keeping the current structure would not address the current condition or the safety needs. The wetland is adjacent to the structure. Avoidance of the wetland locations will be performed to maximum extent practicable, though wetland impacts may be unavoidable.

Mitigation for wetland impacts will be performed per the requirements for the waterway permit

- The ESR can be found in the project file under Ecological/Reports/Level 2 Ecological Survey
- The Wetlands Finding can be found in the Project File under Ecological/Project Information



## Streams & Rivers

|                        | Present: | Impacted: |
|------------------------|----------|-----------|
| Streams and Rivers:    | Yes      | Yes       |
| National Scenic River: | No       |           |
| State Scenic River:    | No       |           |
| Sec 9:                 | Yes      | Yes       |
| Sec 10:                | Yes      | Yes       |

## Impacted Streams and Rivers

| Stream Name             | Total Linear feet Impacted | QHEI | Aquatic Life Use Designation |
|-------------------------|----------------------------|------|------------------------------|
| Stream 1 - Maumee River | 90                         | n/a  | Warm Water Habitat (WWH)     |

Total Linear feet Impacted:

90

## Remarks:

Based on the results of the Level 2 ESR, Stream 1 (Maumee River, which flows to Lake Erie) was identified within the proposed project area. It is anticipated that approximately 90 feet of impact will occur to Stream 1 \_ Maumee River based on proposed demolition activities. Any necessary stream mitigation will be addressed as a part of the waterway permit process.

## Other Surface Waters

|                                                | Present: | Impacted: |
|------------------------------------------------|----------|-----------|
| Reservoirs:                                    | No       |           |
| Lakes:                                         | No       |           |
| Ponds:                                         | No       |           |
| Storm Water Management Facility:               | No       |           |
| Jurisdictional Ditch:                          | No       |           |
| Other (If selected please explain in remarks): | No       |           |

## Remarks:

Based upon the results of the Level 2 ESR, no other surface waters were identified within the proposed project area.

## Terrestrial Habitat

|                      | Present: | Impacted: |
|----------------------|----------|-----------|
| Terrestrial Habitat: | Yes      | Yes       |



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|                         |    |  |
|-------------------------|----|--|
| Unique or high Quality: | No |  |
|-------------------------|----|--|

**Remarks:**

Based on the results of the Level 2 ESR, terrestrial habitat identified within the proposed project area consisted of common mixed vegetation and trees and includes developed Open Space (mowed right-of-way, single family housing, parks, etc.), Herbaceous (new fields, pastures, hay fields), Scrub/Shrub (true shrubs, and young trees), Upland Forest (uplands dominated by trees), and Open Water. No unique or high quality terrestrial habitats were identified.

**Threatened or Endangered Species**

|                                                        | Present: | Impacted: |
|--------------------------------------------------------|----------|-----------|
| Within the known range of a Federal Species?           | Yes      | Yes       |
| Federal Species/habitat found within the project area? | Yes      | Yes       |
| Within the known range of a State Species?             | Yes      | No        |
| State Species/habitat found within the project area?   | No       |           |

**Remarks:**

Based on the results of the Level 2 ESR, the proposed project is located within the known range of federal and state-listed threatened and endangered species:

- Indiana bat (*Myotis sodalis*) - The proposed project is within the known summer breeding range of the federally listed endangered species. The ESR included the entire PID 99515 project area and impacted one potential roost tree. No trees will be removed for this proposed project. The finding for the entire project is *May affect not likely to adversely affect*.
- Northern long eared bat (*Myotis septentrionalis*) - The proposed project is within the known range of the federally threatened species. ESR included the entire PID 99515 project area and impacted one potential roost tree. No trees will be removed for this proposed project. The finding for the entire project is *May affect not likely to adversely affect*.
- Piping Plover (*Charadrius melodus*) - Nesting areas for the federally-listed endangered species include lake shores and sandy beaches. No suitable habitat was identified within the proposed project area and no impacts are anticipated. No Effect
- Kirkland's Warbler (*Dendroica kirklandii*) - The Kirkland's Warbler habitat for the federally-listed endangered species is primarily within young Jack Pine stands. Although no nesting areas for this species are present in Ohio, this species may be present during spring and fall migration, and uses scrub/shrub and wooded habitats as stop-over habitat. Wooded and scrub/shrub habitats within three miles of Lake Erie are thought to be especially important during migration. Although some wooded habitat is present within and adjacent to the proposed project area, the project is not within three miles of Lake Erie. Therefore, no impacts are anticipated to this species. No Effect
- Karner Blue Butterfly (*Lycaeides Melissa samuelis*) - Habitat for the federally-listed species is primarily sandy soils with supporting populations of blue lupine. No suitable habitat was identified within the proposed project area and no impacts are anticipated to this species. No Effect
- Rayed Bean mussel (*Villosa fabilis*) - While suitable habitat for the federally-listed endangered species was identified within the proposed project area, the Maumee River is a Group 3 mussel stream and is not known to harbor federally endangered mussel species. Therefore, no impacts are anticipated to this species. No Effect
- Eastern Prairie Fringed Orchid (*Platanthera leucophaea*). No suitable habitat for the federally-listed threatened species was identified within the proposed project area. No impacts are anticipated to this species. No Effect
- Rufa red knot (*Calidris canutus rufa*) - Nesting areas for the federally-listed threatened species include lake shores and sandy beaches. No suitable habitat was identified within the proposed project area and no impacts are anticipated to this species. No Effect
- Eastern Massasauga (*Sistrurus catenatus*) - The Eastern Massasauga (federal candidate species) inhabit undeveloped wetland/upland areas. It is unlikely that the eastern massasauga inhabit this area due to lack of contiguous habitat. Therefore, it is not anticipated that the proposed project will impact this species. No Effect



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- Bald Eagle (*Haliaeetus leucocephalus*) - The Bald Eagle (federal species of concern) tends to nest within 2 miles of ample water and fish and also prefers a secluded nesting site. No nesting activity has been reported within a half-mile of the proposed project area. Therefore, the proposed project is not anticipated to impact this species. No Effect
- Kirtland's snake (*Clonophis kirtlandii*) - The Kirtland's snake (state-listed threatened species) inhabit wet meadows in northwest Ohio, while a small wetland area near the Maumee River which may be suitable habitat was identified within the proposed project area, it is adjacent to forested habitat and not the preferred grassy open area. Therefore, the proposed project is not likely to impact this species. Not likely to impact.

## Agency Coordination

|                                                    | Coordination Required: | Comments Received Date: |
|----------------------------------------------------|------------------------|-------------------------|
| Ohio Department of Natural Resources (ODNR):       | Yes                    | 03/05/2015              |
| United States Fish and Wildlife Service (USFWS):   | Yes                    | 02/18/2015              |
| Ohio Environmental Protection Agency (OEPA):       | No                     |                         |
| United States Army Corps of Engineers (USACE):     | No                     |                         |
| ODNR State Scenic River:                           | No                     |                         |
| National Park Service (NPS) National Scenic River: | No                     |                         |

## Remarks:

Proposed project impacts were provided by ODOT-OES in an MOA Coordination with ODNR and USFWS on January 30, 2015. Responses were received from ODNR on March 5, 2015; and USFWS on February 18, 2015; and the agencies did not have specific comments regarding the wetland impacts.

The USFWS concurred that the project falls under the PC2 category of impacts (2007) which *may affect but are not likely to adversely affect* the Indiana Bat and the Northern long-eared bat provided ODOT adheres to clearing any trees only between the dates of October 1 and March 31. A plan note has been added.

ODNR recommends that ODOT adhere to clearing trees only between the dates of October 1 and March 31 to protect the Indiana bat and the Northern long-eared bat.

ODNR recommends a mussel survey/relocation be conducted prior to the start of in-water construction. A plan note has been added.

This project is within the ODNR Coastal Zone Management Area, based upon the project impacts and the anticipated required waterway permit level it meets the current Coastal Zone MOA between ODNR & ODOT. Since this project is being authorized under a NWP3, it has been concurred to by the Ohio Coastal Management Program.

- **All documentation related to coordination activities can be found in the Project File under Ecological/Coordination**

Plan notes have been added for in-stream work restrictions, coordination required if in-stream blasting is conducted, and re-vegetation with native seeds.

**Are there any environmental commitments?**

Yes



## Other Resources

### Farmlands

### Farmlands

The proposed project is located within an Urbanized Area Yes

The proposed project is located in an area that is in or committed to urban development or water storage and is therefore not subject to the Farmland Policy Protection Act (FPPA) in accordance with 7 CFR 658. No further coordination is required.

### Remarks:

Based upon review of appropriate mapping, the proposed project is located in an urbanized area zoned for non-agricultural purposes and is not in an agricultural district. Therefore, the proposed project meets the terms and conditions of the *Memorandum of Understanding between the Natural Resource Conservation Service and the Ohio Department of Transportation for Projects Involving Farmlands (Agreement No. 19552)*, executed on March 15, 2016. No further coordination is required.

Are there any environmental commitments? No

### Drinking Water

The proposed project is wholly or partially located within the USEPA designated boundaries of a Sole Source Aquifer No

|                                                                                                                             | Present: | Impacted: |
|-----------------------------------------------------------------------------------------------------------------------------|----------|-----------|
| The proposed project is wholly or partially located within the OEPA designated boundaries of a Source Water Protection Area | No       |           |

Coordination with the Local Public Water Administrator is required No

|                               | Present: | Impacted: |
|-------------------------------|----------|-----------|
| Residential Wells are present | No       |           |

### Remarks:

The OEPA Division of Drinking and Ground Waters mapping tool was used to identify the presence of drinking water resources within the project study area. The map indicates that there are no public water system wells, intakes, drinking water source protection areas, non-transient, non-community Water Systems or transient non-community water systems within 1/2 mile of the project area. The project area does not lie over a Federally-designated sole source aquifer.



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- **Mapping can be found in the Project File under Other Resources/Drinking Water/Water Source Protection Area Map**

Well locations near the project limits were mapped from ODNR Ground Water Mapping and Technical Services' website. No wells were identified within 0.25-mile of the project area.

- **Mapping can be found in the Project File under Other Resources/Drinking Water/Site Specific Resource Mapping**

**Are there any environmental commitments?**

No



## Section 4(f)

### Section 4(f) Determination

Section 4(f) properties are within and/or adjacent to the proposed project area Yes  
Concurrence received from the OWJ Yes  
Were there multiple OWJs? No  
Date concurrence received: 01/04/2016

|                                                         | Present: | Impacted: |
|---------------------------------------------------------|----------|-----------|
| Publicly owned Park(s):                                 | No       |           |
| Publicly owned recreation facility(ies) and/or area(s): | No       |           |
| Wildlife and Waterfowl refuge(s):                       | No       |           |
| Historic Site(s):                                       | Yes      | Yes       |

### Identified Section 4(f) Properties

#### Identified 4(f) Properties

| Property Name | Type          | Permanent ROW/Easement Acres | Temporary ROW/Easement Acres | 4(f) finding          | Date       |
|---------------|---------------|------------------------------|------------------------------|-----------------------|------------|
| CSX Bridge    | Historic Site | 0                            | 0                            | Individual Evaluation | 10/13/2017 |

#### Remarks:

Based upon review of mapping and property ownership records by Lawhon & Associates, Inc. in January 2016, no public parks, recreation areas, or refuges are located within the proposed project area. The Chessie Circle Trail a recognized 4(f) property, is located immediately adjacent to the proposed project area, however, no impacts to the trail will occur and access will be maintained at all times.

The CSX Bridge is eligible for the NRHP and the removal of the bridge will be an adverse effect. Measures to minimize harm have been incorporated into the project and are detailed in the Memorandum of Agreement (MOA) executed September 7, 2017 and as environmental commitments under Cultural Resources.

A Draft Individual Evaluation (IE) dated March 13, 2017, was prepared by Lawhon & Associates and ODOT-OES Cultural Resources Staff. The IE was submitted to the US Department of the Interior (DOI) for review and comment on March 27, 2017. The DOI responded with comments on May 5, 2017, and concurred there was no feasible or prudent alternative to removal of the bridge. Furthermore, the DOI determined that if an MOA is executed with SHPO, they will have no objection to the Draft IE and the Measures to Minimize Harm.



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The Final IE was submitted for Legal Sufficiency Review on September 22, 2017, and was determined by ODOT legal staff to be legally sufficient on October 12, 2017. The Final IE was issued by ODOT-OES on October 13, 2017.

- **All documentation related to coordination and correspondence activities associated with Individual Evaluation can be found in the Project File under Section 4(f)/Coordination and Section 4(f)/Reports**

**Are there any environmental commitments?**

Yes



## Section 6(f)

### Section 6(f) Determination

|                  | Present: | Impacted: |
|------------------|----------|-----------|
| 6(f) Properties: | No       |           |

### Remarks:

No outdoor public recreation areas were identified within and/or adjacent to the proposed project area and based on review of the Land and Water Conservation Fund State Grant Listing (<http://waso-lwcf.ncrc.nps.gov/public/index.cfm>) maintained by the National Park Service, no funds were used to acquire and/or develop said recreation areas. Therefore, no further coordination is required.

Are there any environmental commitments?

No



## Community Impacts

### Community Impacts

**Will the proposed action comply with the local/regional development patterns for the area?** Yes

**Remarks:**

The proposed project is consistent with local plans and is not expected to change development patterns in the area. The project is listed in the Toledo Metropolitan Area Council of Governments' (TMACOG), the Metropolitan Planning Organization for the region, FY 2018-2021 Transportation Improvement Program.

**Will the proposed action result in substantial negative impacts to community cohesion?** No

**Remarks:**

The project is not anticipated to result in any negative impacts to community cohesion.

**Will the proposed action result in indirect or cumulative impacts?** No

**Remarks:**

The proposed project will not result in a reasonably foreseeable secondary or cumulative impact. The proposed project is expected to have positive impacts on the local community.

**Will the proposed action result in substantial impacts on health and educational facilities, public utilities, fire, police, emergency services, religious institutions, public transportation, pedestrian and bicycle facilities?** No

**Remarks:**

Substantial impacts will not occur to health and educational facilities, public utilities, fire, police, emergency services, religious institutions, or public transportation facilities. Since the project is not on an active roadway, no detours or delays on the roadway network are anticipated.

**Will the proposed action displace residents, businesses, institutions or farms?** No

**Remarks:**

There will be no residential, business, agricultural or institutional displacements as a result of the project.

**Are there any Environmental Commitments?** No



## Underserved Populations

### Underserved Populations

#### Identified Underserved Populations

| Census Block Group # | % Minority | % Low Income |
|----------------------|------------|--------------|
| 391730203003         | 10         | 25           |
| 390950045043         | 0          | 6            |

Are Underserved Populations located within and/or adjacent to the proposed project area? Yes

Are there any relocations? No

Will there be changes to access? No

Will the proposed project result in unanticipated additional impacts to any Underserved Populations? No

Were any concerns related to impacts on Environmental Justice Populations or any other unique factors that could result in a disproportionately high and adverse effect raised during public involvement? No

Were any concerns related to impacts on Title VI Populations or any other unique factors that could result in a disparate impact raised during Public Involvement? No

Were any concerns or any other unique factors that could result in an impact to any of the other Underserved Populations (Limited English Proficiency, Older Adults, or Individuals with Disabilities) raised during Public Involvement? No

#### Remarks:

According to ODOT's Transportation Information Mapping System (TIMS), the following Underserved Population percentages were identified:

- Minority population = 0 to 10%
- Low-income population = 6 to 26%
- Limited English Proficiency (LEP) population = 0 to 0.02%
- Older Adults population ranges = 17 to 23%

The proposed project will have no disproportionately high and adverse effects to minority or low-income populations or disparate impacts to a Title VI population based upon the table and answers to the questions above. No concerns related to impacts on Environmental Justice or Title VI populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of Executive Order 12898, FHWA Order 6640.23A and Title VI of the Civil Rights Act of 1964, no further analysis is required.

The proposed project will have no substantial impacts to Limited English Proficiency, Older Adults, and Individuals with Disabilities Populations based upon the table above, the attached mapping, and the answers to the questions above. No concerns related to impacts on these Underserved Populations were raised as a result of public involvement activities conducted as part of the proposed project. Therefore, in accordance with the protections of the Age Rehabilitation Act of 1973, Discrimination Act of 1975, Americans with Disabilities Act of 1990, and Executive Order 13166, no further analysis is required.

Based on the above findings an Underserved Populations Impact Analysis Report is not required.



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- *Census information can be found in the Project File under Environmental Justice/Project Information/Census Mapping.pdf*
- *Underserved Populations Form can be found in the Project File under Environmental Justice/Project Information/Underserved Populations Documentation Form.pdf*

**Are there any Environmental Commitments?**

No



## Public Involvement

### Public Involvement

**Please provide a summary of the Public Involvement activities that have been conducted for this project. (For example press releases, letters to affected property owners and residents, meetings, special purpose meetings, newspaper articles, etc)**

The Toledo Blade newspaper published an article on July 3, 2015 describing the opening of the first section of the Chessie Circle Trail and discusses the other projects related to the Trail.

Letters to adjacent property owners were sent on May 23, 2016.

ODOT issued a press release on May 23, 2016 to various media sources.

The Toledo Blade published another article about the project on July 14, 2016.

ODOT issued a press release on December 26, 2017 to follow-up with the public and inform them of the status of the project.

On December 31, 2017, the Toledo Blade published another article on the project.

- **Copies of all Public Involvement materials are included in the Project File under Public Involvement/Project Information**

**Was Public Involvement conducted in compliance with Title VI requirements?** Yes

**Is there any substantial environmental controversy on environmental grounds?** No

**Please summarize the Public Involvement responses received.**

Seven comments were received as a result of the May 23, 2016 property owner notification letter and May 23, 2016 press release. One individual asked if the bridge could be replaced with a vehicular bridge for automobile traffic. The WCPA responded that the long range plan was originally to replace the bridge with a multi-use hike/bike path. Another individual had questions about project schedule. The WCPA responded and agreed to provide regular updates on the project progress. Four individuals/organizations indicated concerns regarding the removal of the historic bridge. The WCPA responded with descriptions of the condition of the bridge, the Section 106 process, the Section 4(f) process, and long range plan for the Chessie Trail. Finally, one individual expressed concern over having a bike path behind her property. The WCPA referred the individual to TMACOG's long range plan for the hike/bike path and a link to the website and studies completed. The ODNR Scenic River Program provided several comments. While this section of the Maumee River is not designated as a State Scenic River, ODNR supports the removal of the bridge as a non-functional structure and suggests complete removal of the piers. WCPA responded that complete removal of the piers will depend upon the contract bid and available funds.

The District 2 Public Information Officer received one comment from the public regarding the December 26, 2017 press release. The individual expressed an interest in the report that determined the bridge was



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unsuitable for use as a pedestrian bridge. The PIO responded on January 2, 2018 directing the individual to TMACOG's Chessie Circle Trail website.

- **All comments and responses can be found in the Project File under Public Involvement/Project Information**

**Are there any Environmental Commitments?**

No



## Permits

### Waterway Permits

|                                                 |     |
|-------------------------------------------------|-----|
| Are Waterway Permits required?                  | Yes |
| Is the Waterway Permits Determination Complete? | Yes |
| Army Corps of Engineers                         |     |
| Regional General Permit (RGP):                  | No  |
| Nationwide Permit (NWP):                        | Yes |
| Section 404 Individual Permit:                  | No  |
| Section 10 Permit:                              | No  |
| Ohio EPA                                        |     |
| Section 401 Water Quality Certification:        | No  |
| Level 1 General Isolated Wetland Permit:        | No  |
| Level 2 Individual Isolated Wetland Permit:     | No  |
| Level 3 individual Isolated Wetland Permit:     | No  |
| US Coast Guard                                  |     |
| Section 9 Coordination:                         | Yes |
| Section 9 Bridge Permit:                        | No  |
| ODNR                                            |     |
| Shore Structure Permit :                        | No  |

### Remarks:

Coordination with the United States Coast Guard (USCG) was initiated in January 2016. Although no USCG permit will be issued, coordination with the USCG is required at least 30 days prior to any construction activity in the Maumee River. The USCG will forward Bridge Lighting Permit to WCPA with instructions on the lighting requirements for the bridge which currently does not have any navigation lighting.

The proposed project requires 0.037-acres of impacts to Category 2 Wetland B and 90 linear feet of impacts to the Maumee River due to the temporary fill required for the causeway. The depth and width of the Maumee River require construction of a causeway to remove the bridge sub structure and superstructure.

A Waterway Permit Determination Request (PDR) was prepared by Lawhon & Associates, Inc. on May 24, 2016. On June 3, 2016, the ODOT-OES Waterway Permits Unit (WPU) issued a Permit Determination (PD).



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Based on the determination, the proposed project meets the criteria for Nationwide Permit #33 with a Pre-Construction Notification (PCN). The Special Provisions from the PCN shall be adhered to and included in the final design. A Draft PCN was prepared by Lawhon & Associates, Inc. on July 26, 2016.

An updated PDR was prepared by Lawhon & Associates, Inc. on March 3, 2017. On April 3, 2017, the ODOT-OES WPU issued an updated PD that indicated the proposed project met the criteria for Nationwide Permit #3 - Maintenance with a PCN. The Special Provisions from the PCN shall be adhered to and included in the final design.

A revised PCN was prepared by Lawhon & Associates, Inc. on September 20, 2017. On September 26, 2017, the ODOT-OES WPU forwarded the PCN to the USACE. The USACE approval is pending, therefore, no work below the Ordinary High Water Mark shall take place until the permit is issued.

- *All documentation related to coordination and correspondence activities can be found in the Project File under Permits/Waterways*

**Are there any environmental commitments?** Yes

**Storm Water Permits**

**NPDES Construction General Permit for Stormwater (NOI):** No

**Watershed Specific NPDES Construction General Permit for Stormwater (NOI):** No

**Remarks:**

The proposed project earth disturbed area will be largely determined by the means and methods the contractor will choose to use. There is the potential to predominantly complete the work from a barge with only a small amount of earth disturbance for the abutment removal. However, if the contractor needs a temporary work pad in the river, more earth disturbance would be needed for construction access down the river banks as well as the abutment removal. Adequate erosion and sediment controls shall be implemented and maintained throughout construction by the contractor, as required. As such, if the earth disturbed area is over an acre, the required submittal of a Notice of Intent (NOI) to the OEPA requesting coverage under a National Pollutant Discharge Elimination System (NPDES) General Construction Permit will be completed by ODOT and the contractor.

**Are there any environmental commitments?** Yes

**Floodplains**

**The proposed project involves encroachment within a Special Flood Hazard Area (SFHA)** Yes

**EO 11988/NFIP Coordination and Documentation Completed** Yes

**NFIP Local Floodplain Coordinator Notification Date** 11/01/2017

**Remarks:**

Based upon review of the FEMA Flood Insurance Rate Map (FIRM) by Lawhon & Associates, Inc. on February 19, 2016, the proposed project area is located in a regulated floodplain (FIRM Community Panel 39095C0255E). Due to encroachment within the floodplain, coordination and a permit are required from the local floodplain administrator.



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A floodplain development permit was obtained by Hull & Associates, Inc. from Wood County in May 2015. The permit required construction take place within one year. The Wood County Port Authority requested a new permit via email on November 1, 2017 from the Wood County Floodplain Administrator since the project is still under development. The Wood County Port Authority requested a permit via email on November 16, 2017 from the Toledo Floodplain Administrator.

A floodplain permit will be obtained for the project by Wood County Port Authority prior to construction.

The Floodplain Statement of Findings was posted to the ODOT District 2 website on October 25, 2017.

- *Flood mapping can be found in the project file under Permits/Floodplains/FEMA FIRM*
- *All documentation and correspondence can be found in the Project File under Permits/Floodplains*

**Are there any environmental commitments?**

Yes

**Landfills**

**Is a 2713 Permit required?**

No

**Remarks:**

Based upon the results of ESA studies conducted by Hull & Associates, Inc., no landfills were identified within the proposed project area. Therefore, no further coordination is required.

**Are there any environmental commitments?**

No



## **Environmental Commitments**

### **General Project Information**

- 1) Part 642-58 of the Traffic Engineering Manual shall be placed in the plans by ODOT to ensure compliance with Federal notification requirements.
- 2) The ODOT project engineer shall forward the construction notification information the following departments within the timeline outlined in TEM Part 642-58 to ensure compliance with Federal notification requirements: a.) District Public Information Officer (PIO) by phone at: (419) 373-4428 or email at: d02.pio@dot.ohio.gov b.) District Permit Section by phone at: (419) 373-4301 or email at: d02.permits@dot.ohio.gov c.) Central Office Special Hauling Permits Section by phone at: (614) 351-2300 or email at: hauling.permits@dot.ohio.gov

### **Cultural Resources**

- 1) In accordance with the Section 106 MOA executed September 7, 2017, the Wood County Port Authority shall prepare or have prepared a Historic American Engineering Record (HAER) Level II prior to demolition of the structure and offer the Ohio State Historic Preservation Office (OSHPO) and consulting parties an opportunity to review and comment on the document. An electronic copy of the HAER shall be provided to the OSHPO, Maumee Valley Historical Society, Wood County District Public Library, Lucas County Library, Toledo Public Library, and consulting parties. One bound copy shall be provided to the OSHPO and two bound archival copies, an unbound archival copy, and an electronic copy shall be provided to the State Library of Ohio.
- 2) In accordance with the Section 106 MOA executed September 7, 2017, the Wood County Port Authority shall ensure a commemorative display documenting the history of the WOO/LUC CSX Railroad Bridge and the Toledo Beltway is installed in the vicinity of the new bridge prior to the end of the work onsite. The ODOT District 2 Environmental Coordinator shall: 1) ensure that the Ohio State Historic Preservation Office (OSHPO) and the project consulting parties shall be provided an opportunity to comment on the bridge plaque and display design and 2) ensure the design is approved by OES prior to implementation in the plans. The Project Designer shall ensure that the plans include the ODOT OES approved plaque specifications.
- 3) In accordance with the Section 106 MOA executed September 7, 2017, ODOT and Wood County Port Authority shall work with the project designers and Chessie Circle Trail Coordinating Committee to determine commemorative elements from the WOO/LUC CSX Railroad Bridge that may be made available to and approved by the Coordinating Committee. ODOT District 2 Environmental Coordinator will ensure the specifics for any commemorative elements are included in the project contract.
- 4) In accordance with the Section 106 MOA executed September 7, 2017, ODOT OES shall market the bridge for adaptive reuse to regional parks departments, multi-use trail groups, and other entities that may have an interest in reusing all or part of the historic truss system. The bridge was posted on ODOT's Reusable Bridges website October 31, 2017 and will remain there for a reasonable duration, not less than 90 days.

### **Ecological**

- 1) The Project Designer shall incorporate the following note into the plans: This project is located within the known habitat ranges of the federally listed and protected Indiana Bat and Northern Long-Eared Bat. No trees shall be removed under this project from April 1 through September 30. All necessary tree removal shall occur from October 1 through March 31. This requirement is necessary to avoid and minimize impacts to these species as required by the Endangered Species Act. For the purpose of this note, a tree is defined as a live, dying, or dead woody plant with a trunk three inches or greater in diameter at a height of 4.5 feet above the ground surface, and with a minimum height of 13 feet.



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- 2) The ODOT District 2 Environmental Coordinator shall ensure that a Group 3 mussel survey and relocation, consistent with the current US Fish and Wildlife Service (USFWS) and Ohio Department of Natural Resources (ODNR) Ohio Mussel Survey Protocol is completed prior to the start of in-stream construction activities.
- 3) The Project Designer shall incorporate the following note into the plans: The Contractor shall not conduct any in-stream work between March 15 and June 30 to protect spawning warm water fishes.
- 4) The Project Designer shall incorporate the following note into the plans: The Contractor shall obtain prior written permission from Ohio Department of Natural Resources (ODNR) Division of Wildlife Chief, should any in-stream blasting be required as part of the construction.
- 5) The Project Designer shall incorporate the following note into the plans: The Contractor shall revegetate with native seed mixes where the slope is 2:1 or flatter.

#### **Section 4(f)**

- 1) The Project Designer shall incorporate the following note into the plans: The Contractor shall maintain access to the Chessie Circle bike trail at all times during construction activities.

#### **Permits - Waterway Permits**

- 1) The Project Designer shall incorporate the following note into the plans: The Contractor shall contact the US Coast Guard at least 30 days prior to the start of any construction activities or placement of equipment in the Maumee River. Contact: Scot Striffler, Bridge Program Manager, Ninth Coast Guard District, 216-902-6088, Scot.M.Striffler.uscg.mil
- 2) ODOT shall obtain all appropriate waterway permits prior to any work below the ordinary high water mark of the Maumee River or within the wetland. The Waterway Permit Special Provisions shall be included in the project plans and followed by the Contractor throughout construction.

#### **Permits - Storm Water Permits**

- 1) The Project Designer shall add notes to the plans requiring adequate erosion and sediment controls be implemented and maintained throughout construction by the contractor, as required. As such, if the earth disturbed area is over an acre, ODOT shall prepare and submit the Notice Of Intent (NOI) to the Ohio Environmental Protection Agency (OEPA) and shall be responsible for obtaining the required National Pollutant Discharge Elimination System (NPDES) permit prior to the start of construction activities.

#### **Permits - Floodplains**

- 1) The Wood County Port Authority shall obtain the required floodplain permits prior to the start of any construction activities.



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### **Preparers and Approvals**

**Form Preparer:**

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lrushley@lawhon-assoc.com

### **Approvals & Electronic Signatures**

| <b>Approved &amp; Electronically Signed By:</b> | <b>Approval Date:</b> |
|-------------------------------------------------|-----------------------|
| <b>Stacy Schimmoeller (PROGRAM ADMIN 3)</b>     | <b>1/19/2018</b>      |



## **Appendix**

### **Section 4(f)**

Coordination with DOI - Final Individual Evaluation.pdf  
Legal Sufficiency Review Complete.pdf  
DOI Comments - Draft Individual Evaluation.pdf  
Acknowledgement of Legal Sufficiency Review Request.pdf  
Legal Sufficiency Review Request.pdf  
Project Related OES Decision - Section 4(f).pdf  
Coordination with NPS - Draft Individual Evaluation.pdf  
Correspondence with NPS - Draft Individual Evaluation.pdf  
Correspondence with SHPO - Draft Individual Evaluation.pdf  
Correspondence with NPS - Draft IE Figures and Appendices.pdf  
OES Response to SHPO - Alternatives Analysis.pdf  
OES Cultural Resources 4(f) Scoping Guidance.pdf  
Coordination with DOI - Draft Individual Evaluation.pdf

### **General**

Aerial Map.pdf  
STIP Listing.pdf  
USGS Quadrangle Topographical Map.pdf  
Stage 2 Design.pdf  
County Map.pdf

### **Purpose and Need**

OES Acceptance - Purpose and Need.pdf  
ODOT Bridge Inspection - Office of Structural Engineering.pdf

### **ESA**

OES Recommendations - Screening.pdf

### **Cultural Resources**

Documentation for Consultation-Holth receipt confirmation.pdf  
ACHP Coordination-cover letter for dfc.pdf  
ACHP Coordination-eFile doc- required to be a word document.doc



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Documentation for Consultation - SHPO Receipt Confirmation.pdf  
ACHP Comments-guidance on dfc transmittal procedure.pdf  
Documentation for Consultation-Johnson receipt confirmation.pdf  
Consulting Party Request Acknowledgement - Henderson .pdf  
Documentation for Consultation Draft MOA 1.pdf  
ACHP Coordination-OES emailed particip. ackn. letter.pdf  
ACHP Coordination-liquid files transmittal of dfc .pdf  
Consulting Party Application including invitation letter.pdf  
Consulting Party Coordination - Meeting Notification.pdf  
Executed MOA.pdf  
ACHP Response - Executed MOA.pdf  
Consulting Party Coordination - MOA.pdf  
SHPO Concurrence - MOA Signature Page.pdf  
Consulting Party Coordination - MOA Signature (K. Henderson).pdf  
Correspondence with District - Summary of CCTCC Meeting.pdf  
Consulting Party Invitee List.pdf  
Executed MOA Email Notification to CPs.9.12.17.pdf  
Reusable Bridge Availability Listing Notification.pdf  
Documenation for Consultation Transmittal - Holth .pdf  
SHPO Coordination - MOA Signature.pdf  
ACHP Comments - Final MOA.pdf  
ACHP Coordiantion Draft MOA 4.pdf  
SHPO Response - Draft MOA .pdf  
OES Response to Agency Comments - Mothball Option .pdf  
Chessie Circle Trail Development Plan-Kiosk Design Standards.pdf  
Consulting Party Coordination Chessie Circle Trail 1.pdf  
SHPO Coordination - Draft MOA .pdf  
SHPO Comments - Draft MOA.pdf  
Project Meeting Minutes - Draft MOA.pdf  
Consulting Party Coordination - Chessie Circle Trail 2.pdf  
ACHP Coordination Consultation Meeting 1.pdf  
ACHP Coordination Consulation Meeting 2.pdf



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ACHP Coordination Draft MOA 2.pdf  
Consulting Party Coordination - SHPO Concurrence (Johnson).pdf  
Consulting Party Comment Response - Johnson.pdf  
Consulting Party Comments - Holth 4 .pdf  
Consulting Party Comment Response 2 - Holth.pdf  
Consulting Party Invitation - Toledo Parks and Recreation.pdf  
Consulting Party Invitation - Metroparks Toledo.pdf  
Consulting Party Comment Response- Holth.pdf  
Consulting Party Request Acknowledgement - Johnson .pdf  
Consulting Party Comment Response - Holth.pdf  
Consulting Party Comments - Johnson.pdf  
Consulting Party Comments - Holth 5.pdf  
Consulting Party Comment Response-Johnson.pdf  
SHPO Response to CSX.pdf  
SHPO Comments.pdf  
Consulting Party Invitation - Currie.pdf  
Consulting Party Request Acknowledgement - Johnson.pdf  
Consulting Party Request Acknowledgement - Holth.pdf  
OES Scoping Guidance - History Architecture.pdf  
Consulting Party Invitation.pdf  
Consulting Party Invitation Attachments.pdf  
Project Related OES Decision - Cultural Resources.pdf  
Consulting Party Request Acknowledgement - Currie.pdf  
Consulting Party Comments - Holth 2.pdf  
Consulting Party Comments transmitted to DEC from OES.pdf  
Consulting Party Application - Holth.pdf  
OES Section 106 Effect Determination.pdf  
SHPO Concurrence - Adverse Effect.pdf  
Consulting Party Application - Currie.pdf  
SHPO Coordination - Documentation for Consultation.pdf  
ACHP Coordination -email transmittal via efile.pdf  
cp comments and responses holth.pdf



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Consulting Party Invitation - Henderson.pdf  
Consulting Party Invitation - Maumee Valley Scenic Byway.pdf  
Documentation for Consultation - TMACOG Receipt Confirmation.pdf  
Documentation for Consultation - Transmittal to TMACOG.pdf  
Consulting Party Coordination -additional info after DFC.pdf  
ACHP Coordination 2.pdf  
Consulting Party Comments - Holth 6.pdf  
Consulting Party Comments - Holth 3.pdf  
Documentation for Consultation Transmittal Notification .pdf  
Consulting Party Comments - Holth.pdf  
Consulting Party Comment Response.pdf  
ACHP Response.pdf  
Documentation for Consultation-cover letter addressed to cps.pdf  
Consulting Party Coordination-regarding achp participation.pdf  
ACHP e106 Notification.pdf

**Ecological**

Coordination with ODNR - Coastal Consistency Request.pdf  
Project Related OES Decision - Ecological.pdf  
Wetland Finding.pdf  
USACE Preliminary Jurisdictional Determination.pdf  
USFWS Comments.pdf  
ODNR Comments.pdf  
Coordination with ODNR and USFWS.pdf  
ODNR Comments - Coastal Consistency Confirmation.pdf  
ODOT Response to Agency Comments.pdf

**Other Resources**

Water Source Protection Area Map.pdf  
Urbanized Area Map.pdf  
Well Log Data.pdf

**Underserved Populations**

Underserved Populations Documentation Form.pdf  
Census Mapping.pdf



**Public Involvement**

Response to Public Comments December 2017.pdf

News Article December 2017.pdf

Press Release December 2017.pdf

Press Release Notification List December 2017.pdf

Press Release.pdf

Press Release Notification List.pdf

Notification Mailing List.pdf

Website Packet.pdf

News Article 2.pdf

Public Comments Received and Responses.pdf

Response to Public Comments.pdf

News Article.pdf

ODNR Public Comment and Response.pdf

Property Owner Notification Letter.pdf

**Permits**

Statement of Findings.pdf

Coordination with Local Floodplain Administrator- Wood.pdf

Coordination with Local Floodplain Administrator-Toledo.pdf

FEMA FIRM.pdf